

APPEAL NO. 022809  
FILED DECEMBER 11, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on October 15, 2002. The hearing officer resolved the disputed issue by deciding that attorney's fees in the amount of \$400.00 were reasonable and necessary. The appellant (claimant) appealed and the respondent (attorney) responded.

DECISION

The hearing officer's decision is affirmed.

Conflicting evidence was presented on the disputed issue. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. We conclude that the hearing officer did not abuse her discretion in approving the attorney's fees and that her decision is supported by sufficient evidence and is not against the great weight and preponderance of the evidence.

The hearing officer's decision and order are affirmed.

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Robert W. Potts  
Appeals Judge

CONCUR:

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Susan M. Kelley  
Appeals Judge

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Margaret L. Turner  
Appeals Judge